IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATREASURY CORPORATION	§	Civil Action No. 2:06cv72
PLAINTIFF	§	
vs.	§	Judge David Folsom
	§	
WELLS FARGO & COMPANY, *ET AL.*	§	
DEFENDANTS	§	
	§	

ORDER

Pending before this Court is the Motion of Defendant Electronic Data Systems Corp. for Modification of the Stay. Having considered the Motion, the Court finds that it is well-taken. Therefore, it is hereby

ORDERED, ADJUDGED, and **DECREED** that the Motion of Defendant Electronic Data Systems Corp. for Modification of the Stay is **GRANTED**. The Order of October 25, 2006 (Dkt. No. 326) is modified to permit Defendants to enter the following stipulation:

> The parties agree that the stay will be granted only on condition that [an individual defendant] agrees not to challenge United States Patent Numbers 5,910,988 and/or 6,032,137 based on any prior art printed publications that were considered in the reexamination process. [An individual defendant] will be permitted to rely for obviousness on the combination of a printed publication reference that was considered in the reexamination with prior art that was not so considered.

On condition that individual Defendants enter the preceding stipulation, the Court will **Sever** and **Stay** the Plaintiff's claims against the stipulating Defendants on U.S. Patent Nos. 5,910,988 and 6,032,137.

Ten days from the date this Order is signed, Defendants shall either (1) file with the Court a signed copy of the preceding stipulation, or (2) notify the Court in writing of their

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decision not to sign the stipulation.

It is further **ORDERED** that the Clerk of the Court shall delay implementation of this Order until further notification from the Court.